UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/734
23 September 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 16 SEPTEMBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the Solemn Declaration, the Protocol of Agreement and the letter of transmittal of the Espace républicain pour la défense de la démocratie et de l'unité nationale (ERDDUN), a coalition of both the overwhelming majority of opposition parties and those supporting the President, which, in a bold gesture transcending traditional political divisions, intend to join forces to re-establish peace and save national unity and the democratic process, which have been seriously undermined by the tragic events currently taking place in the Republic of the Congo.

I should be grateful if you would have these texts circulated as a document of the Security Council.

(Signed) Daniel ABIBI
Ambassador
Permanent Representative

97-25072 (E) 250997 250997

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Annex

Solemn Declaration issued by the Espace républicain pour la défense de la démocratie et de l'urité nationale in Brazzaville on 28 August 1997

Our country, the Congo, has, since 5 June 1997, been in the throes of a grave and profound crisis which has placed in jeopardy democracy and its corollary, the rule of law. As a result, the electoral process and democratic institutions are facing dangerous threats.

Therefore,

- Considering the serious consequences of the crisis, including:

  Countless victims, most of whom are civilians;

  Massive flows of displaced persons, who are being sheltered in precarious conditions in reception centres and with families;

  Looting on an unimaginable scale, which has totally destroyed the economy of Brazzaville, our capital;

  The destruction of public buildings, national archives and private property;

  The rending of the social fabric;

- Taking into account the many initiatives aimed at finding ways to bring about a speedy end to the crisis, in particular:

  The appeal for a ceasefire by the Prime Minister, Mr. David-Charles Ganao, on 7 June 1997;

  The declaration of a ceasefire by the President of the Republic, Mr. Pascal Lissouba, on 11 June 1997, followed by the declaration of a ceasefire by the former head of State, Mr. Denis Sassou-Nguesso;

  The many initiatives involving national mediation under the chairmanship of member of parliament and Mayor of Brazzaville, Mr. Bernard Kolelas, and international mediation under the chairmanship of the President of the Gabonese Republic, Mr. Omar Bongo;

  The declarations issued by the parties, associations and civil society;

- Noting that the situation continues to worsen in spite of all these efforts;

- Convinced that, in the light of these recent political developments, the Congo faces the risk of partition, the disappearance of democratic institutions and a total breakdown of the democratic process;

We,

The political groups, parties and associations signatories to the present Solemn Declaration, having regard to the Charter of National Unity, which, with the aim of strengthening national unity, calls upon "the public authorities, political groups and associations, religious denominations and the entire national community to:

- Defend national sovereignty;

- Consolidate national independence;

- Safeguard national unity and territorial integrity;

- Protect the republican form of government;

- Maintain the secular character of the State;

- Defend democracy;

- Protect public freedoms";

Hereby pledge to:

- Work to restore among the Congolese people the sense of duty and civic spirit which alone can foster the kind of efforts it will take to promote the emergence of the conditions necessary for genuine national reconciliation with a view to national unity;

- Contribute to the restoration of peace, security and the country's return to normality;

Acting without regard for traditional political divisions and in accordance with the provisions of the above-mentioned Charter, we, the political groups, parties and associations, decide to join together in the Espace républicain pour la défense de la démocratie et de l'unité nationale, to be designated by the acronym ERDDUN.

The Espace républicain will be a body for analysis, concerted action, coordination, harmonization and consensus.

The Espace républicain pour la défense de la démocratie et de l'unité nationale sets as its goal the salvation of the Republic and democracy.

I. DEFINITION AND COMPOSITION OF THE ESPACE RÉPUBLICAIN

The Espace républicain is a union of political groups, parties and associations anxious to combine their efforts to safeguard national unity and

the democratic process. The Espace républicain pour la défense de la démocratie et de l'unité nationale does not seek uniformity of political thought or the disappearance of parties.

The Espace républicain pour la défense de la démocratie et de l'unité nationale is open to all political groups, parties and associations that are committed to defending democracy, the Republic, lawfully established institutions, and hence the rule of law.

II. PURPOSES OF THE ESPACE RÉPUBLICAIN

The Espace républicain has set as its main objectives saving republican institutions, re-establishing peace and ensuring the smooth functioning of the State apparatus and the continuation of the electoral process.

To that end, the Espace républicain will take steps:

- To identify measures that are conducive to a speedy end of the crisis;

- To establish an emergency programme to deal with the problems resulting from the crisis, including the problems of security, movement of goods and persons, supply, and the restoration of services in normal conditions;

- To draw up a government programme for the period preceding the presidential election;

- To draw up a new timetable for electoral activities. This timetable will influence the choice of a date for the presidential election, in accordance with the decision of the Constitutional Council;

- To harmonize the work of the parliamentary groups of the parties which are members of the Espace républicain with a view to lending unequivocal and broad support for the actions of the Government of National Union;

- To conduct an in-depth study with proposals for measures to ensure the country's stability following the presidential election.

The political groups, parties and associations signatories to this Solemn Declaration decide to give effect to it by concluding a Protocol of Agreement.

Protocol of Agreement concluded by the Espace républicain pour la défense de la démocratie et de l'unité nationale at Brazzaville on 29 August 1997

PREAMBLE

This Protocol of Agreement is part of a new political initiative characterized chiefly by the need to safeguard pluralistic democracy, civil order and national unity, which were severely threatened by the events of 5 June 1997.

It thus reflects a political commitment to live together in harmony within the Congolese nation in a State governed by the rule of law.

It has a twofold political objective:

- The establishment of a free, democratic and prosperous Congo imbued with the spirit of solidarity;

- The promotion of harmonious national economic and socio-cultural development, brotherhood and national harmony characterized by respect for different opinions and the right to diversity.

Accordingly, having learned from the past and drawing inspiration from the present to preserve the future, the political parties and associations signatories to the Solemn Declaration of August 1997 agree to coordinate and harmonize their activities within the context of a political union known as the Espace républicain pour la défense de la démocratie et de l'unité nationale (ERDDUN).

TITLE I. General provisions

Article 1. A political union known as the Espace républicain pour la défense de la démocratie et de l'unité nationale shall be created in the Republic of the Congo by the political groups, parties and associations signatories to the Solemn Declaration of August 1997.

Article 2. This Protocol of Agreement shall be open to all political groups, parties and associations that agree to abide by the provisions thereof.

TITLE II. Purposes

Article 3. The Espace républicain pour la défense de la démocratie et de l'unité nationale shall have the following objectives:

- To defend democracy;

- To safeguard territorial integrity and national unity;

- To defend the Republic and the secular character of the State.

Article 4. The Espace républicain pour la défense de la démocratie et de l'unité nationale shall operate on the basis of a policy aimed at preserving pluralistic democracy, in a manner consistent with the achievements of the Sovereign National Conference and in strict compliance with the Constitution of 15 March 1992 and the institutions created thereby.

The Espace républicain pour la défense de la démocratie et de l'unité nationale shall also seek to identify measures to promote initiatives aimed at helping the public authorities prevent and overcome social tensions, whatever their source, that are detrimental to the peace and social unity.

TITLE III. State management

Article 5. The political groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale agree to the sharing and joint exercise of power, taking into account their respective representation at the national and local levels.

Article 6. The groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale agree to promote a style of management that is consistent with the principles of moral probity, competence and good governance.

They therefore solemnly undertake to restore the credibility of the State, to ensure the safety of persons and the security of property, and to establish a republican security force.

TITLE IV. Specific measures

Article 7. Each of the political groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale shall retain its freedom to solicit votes from its constituents while ensuring that its actions are fair and above board, as is required in elections.

Article 8. The political groups, parties and associations shall maintain their ties to their current political affiliations.

TITLE V. Final provisions

Article 9. The political groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale decide to focus their efforts on concerted action and ongoing dialogue. They agree to respect pledges that are made and commitments that are undertaken, and to settle all disputes amicably.

Article 10. This Protocol of Agreement shall remain in force from the date of signature until the holding of the presidential election and may subsequently be renegotiated among the parties that so desire.

Article 11. This Protocol of Agreement, which is consistent with the laws and regulations in force in the Republic of the Congo and open to all political groups, parties and associations that endorse its objectives, shall enter into force on the date of its signature.

Letter of transmittal dated 8 September 1997 from the Espace républicain pour la défense de la démocratie et de l'unité nationale addressed to His Excellency, the President of the Republic of the Congo, the Head of State

The undersigned political groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale (ERDDUN),

Considering their current position on the Congolese political map and bearing in mind the noble objectives pursued by this platform, as emphasized in the Solemn Declaration and Protocol of Agreement pertaining thereto,

Having considered and analysed at length the state of advancement of the Libreville negotiations,

Note with regret that these negotiations have reached an impasse or standstill, most recently over the appointment of the Prime Minister, his functions and his political affiliation;

Agree that the person who assumes this high post, in addition to meeting the essential criteria of having attained both an electoral and a political majority in the country, should be an individual capable of promoting and preserving peace, harmony and national unity and safeguarding democracy. This new political consideration will make it possible to restore the confidence of the people and the international community;

Therefore, the political groups, parties and associations comprising the Espace républicain pour la défense de la démocratie et de l'unité nationale, seek to implement the law of majority rule which they, through their political platform, incarnate and represent, and taking into account the aforementioned criteria:

- Lay legitimate claim to the office of Prime Minister, head of the Government of national unity;

- Propose unanimously that President Bernard Kolelas, founding member of ERDDUN, President of MODDI, Chairman of the National Mediation Committee, having received the second highest number of votes in the 1992 presidential election and being a man of peace, should assume this office.